



JAMES E. JOHNSON  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**

100 Church Street  
NEW YORK, NY 10007

TRISTAN G. MONTAQUE  
*Assistant Corporation Counsel*  
(212) 356-3504  
tmontaqu@law.nyc.gov

March 27, 2020

**BY ECF**

Honorable Steven Tiscione  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Sabrina Novick v. City of New York, et al., 19-CV-06795 (PKC)(ST)

Your Honor:

On behalf of defendant, the City of New York, I write to respectfully request a ninety-day stay of discovery and extension of time to answer or otherwise respond to the plaintiff's complaint in the above-referenced action from the current due date of March 31, 2020 to June 29, 2020 due to the COVID-19 global pandemic. The defendant has previously made one request for a sixty-day extension of time to answer plaintiff's complaint, which was granted. Plaintiff's counsel has consented to a ninety-day stay of discovery.

By way of background, in this action, plaintiff alleges civil rights claims under 42 U.S.C. §1983 arising out of a September 12, 2018 incident with the New York Police Department in Brooklyn. Plaintiff is alleging federal and state law claims for unlawful search and seizure, false arrest, false imprisonment, assault and battery, intentional and negligent infliction of emotional distress, negligence, and failure to intervene.

As Your Honor is aware, on March 7, 2020, Governor Andrew Cuomo declared that New York is in a state of emergency because of the rapidly developing COVID-19 pandemic and Mayor Bill de Blasio followed suit. Due to the pandemic, the relevant agencies that this Office relies upon to process discovery requests and provide documents are working at limited capacity. As such, we have not obtained, and may not obtain in the near future, documents for the underlying case, including investigative documents, from the NYPD, district attorney's office and criminal court file.

For the foregoing reasons, I respectfully request a ninety day stay of discovery from March 27, 2020 to June 25, 2020, and an extension of time to answer or otherwise respond to the complaint from the current due date of March 31, 2020 to June 29, 2020.

Thank you for your consideration herein.

Respectfully submitted,

/s/ *T. Montague*  
Tristan G. Montague  
Assistant Corporation Counsel

cc. Harold C. Baker (By ECF)